

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BROWN

Serial No. 10/616,178

Filing Date: July 8, 2003

For: *Naphthalimide Synthesis Including
Amonafide Synthesis and
Pharmaceutical Preparations Thereof*

Examiner: DESAI, Rita J.

Art Unit: 1625

Confirmation No. 1122

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence, including listed enclosures, is being electronically transmitted in Portable Document Form (PDF) through EFS-Web via Hyper Text Transfer Protocol to the United States Patent and Trademark Office's Patent Electronic Business Center on:

Dated: October 16, 2006

Signed: 
Brent Vachera

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1287 Off. Gaz. Pat. Office 163 (October 19, 2004), no copies of U.S. patents and U.S. published applications are enclosed. Copies of all foreign patents and non-patent literature, unless indicated otherwise below, are enclosed.

Further, in accordance with the provisions of 37 C.F.R. §§ 1.97(c) and 1.97(e)(1), the undersigned certifies that the references listed on the enclosed substitute for form PTO-1449 were first cited in an Supplementary European Search Report dated August 30, 2006, for counterpart European application EP 03763417. A copy of the Supplementary European Search Report for the counterpart European application is enclosed herewith.

Further, in accordance with the provisions of 37 C.F.R. § 1.98(a)(3) and MPEP § 609(III)(A)(3), Applicant submits that reference no. B1 is not in the English language and directs the Examiner's attention to the English language search report enclosed herewith for a concise statement as to its relevance.

Further, in accordance with the provisions of 37 C.F.R. § 1.98(a)(3) and MPEP § 609(III)(A)(3), Applicant submits that reference no. B2 is not in the English language and directs the Examiner's attention to the English language abstract of same enclosed herewith for a concise statement as to its relevance.

Further, in satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), Applicant notes that the present application is related to the following pending applications:

1. U.S.S.N. 10/976, 961, filed October 29, 2004; and
2. U.S.S.N. 11/048,614, filed January 31, 2005.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

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Pursuant to 37 C.F.R. §1.97(c), the Commissioner is authorized to charge the fee in the amount of \$180.00 as set forth in 37 C.F.R. §1.17(p), and any additional fees, or credit any overpayment to Deposit Account No. 50-2319 (Order No. 468899-00034; Docket No.: A-71462).

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: Oct. 16, 2006

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Jeffery P. Bernhardt, Reg. No. 54,997 for
Richard F. Treccart, Reg. No. 31,801

Attachments : Form PTO/SB/8A, Substitute for form 1449
Copy of Supplementary European Search Report
Copies of three (3) cited references

Substitute for form 1448A/PTO (Modified)			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/616,178	
			Filing Date	July 8, 2003	
			First Named Inventor	BROWN, Dennis M.	
			Art Unit	1625	
			Examiner Name	DESAI, Rita J.	
Sheet	1	of	1	Attorney Docket Number	A-71462 (468899-00034)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	US-			
	A2	US-			
	A3	US-			
	A4	US-			
	A5	US-			
	A6	US-			
	A7	US-			
	A8	US-			
	A9	US-			
	A10	US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² Number ³ Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Y ⁵
	B1	FR 2 279 398 A1	02-20-1976	Laboratorios Made, S.A.		✓
	B2	FR 2 992 978 A2	02-20-1976	Laboratorios Made, S.A.		

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			Y ⁵
	C1	ZEE-CHENG, R. et al., "n-(aminoalkyl)imide antineoplastic agents. Synthesis and biological activity," J. Med. Chem. 28(9):1218-1222 (1985).			

Examiner Signature	Date Considered
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*EXAMINER: ¹ These references were previously cited in a related application relied upon for an earlier filing date under 35 USC 120 and no copies are submitted in accordance with 37 CFR 1.96(d). Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Applicant's unique citation designation number (optional). ³ See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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